

REMARKS

Interview Summary

Applicant thanks SPE Patrick Mackey for a useful discussion of claim terms relative to prior art references after applicant had received a voice mail refusing an after final interview from the examiner. In response to SPE Mackey's invitation to present proposed after final amendments, applicant herewith proposes amendments to independent claims 1 and 24.

In discussion with SPE Mackey applicant learned that the limitation in independent claim 1 reciting "at least one wheel support arm having a first end in direct pivotal engagement with said bed and a second end operatively engaged with an axle for a wheel" is said to be anticipated by "at least element 22" in the Williamson reference, U.S. Patent No. 3,012,682.

Applicant learned that the examiners' position was that the phrase "operatively engaged" was interpreted broadly to read on an assembly of various components forming a linkage between element 22 and ultimately the wheels. In response to this position, the claim is hereby amended to recite a direct pivotal engagement of a second end of the support arm with the axle for the wheel. This is clearly supported in Figures 2 and the accompanying text. It is equally clear that neither element 22 of the Williamson reference or any other element or combination of elements in the Williamson reference has both a direct pivotal engagement with the bed of the trailer, as at reference 18 in Williamson, and also a direct pivotal engagement with the wheel, since the other end of element 22 in Williamson is pivotally engaged to element 26, not to a wheel or an axle.

Applicant further learned that element 26 of the Williamson reference was said to anticipate the limitation in claim 1 of a "connecting link". Element 26 in Williamson is directly attached to the wheel axles 28 at each of its opposing ends. "Each arm 26 is provided with an

axle 28 at each end thereof ..." see col. 2, line 22. The current claim recites "said connecting link being away from the axle of at least one wheel". Applicant learned that the art group's position was that the claim term "away" read on the relationship of element 26 with axles 28, which touch each other in all the figures of the Williamson reference and which axles are recited as a "provision" of the arm 26 in the text. In response to the examiners taking this position, applicant hereby amends the word "away" to read "remote". This amendment does not narrow as both "away" and "remote" would be understood by one of ordinary skill in the art to mean not touching in the way that the arm 26 touches its provided axles 28 in the Williamson reference.

Because there is no support arm in the Williamson or any other reference that is "directly pivotally engaged" with the bed or a frame of the trailer on one end and "directly pivotally engaged" to the wheel axle on the other end, claim 1 recites structure that is patentably distinct over the prior art of record. Additionally, because neither Williamson nor any other prior art reference discloses a connecting link wherein the connection of said link to the support arm is away from the axle, claim 1 is patentably distinct over Williamson and the other prior art of record in that respect.

Claim 24 additionally recites two wheels each having a rail support arm. This is not shown in Williamson or any other reference. Element 22, said to anticipate the support arm limitation of the claims, is pivotally attached to the bed, but does not have a wheel mounted at the other end portion of that same arm, as recited. This recites a structure that is patentably distinct over the Williamson and other references. Additionally, each of two wheels on each side has its own support arm. This is structurally recited. This structure recites a patentable distinction of the present claim over Williamson and the other prior art of record.

New claims

The new claims are supported by elected Figures 2 in the accompanying text. They are provided to vary the scope of the claims covered. They further particularly point out and distinctly claim patentable distinctions over the prior art of record.

Conclusion

For commercial and economic reasons, rather than appeal the previously pending claims which were allowable over the art of record, applicant hereby elects to submit the above non-narrowing claims in order to put the claims in clear condition for allowance. If the Examiners feel any aspect of the submitted amendments fails to particularly point out and distinctly claim structure that is patentably distinct over the prior art of record, applicant requests an interview.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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